



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

APR - 5 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

Certified Mail - Return Receipt Requested

Mr. John Carpenter
Plant Manager
Stericycle Environmental Solutions
1701 East Alexander Avenue
Tacoma, Washington 98421

Re: **NOTICE OF VIOLATION**
Stericycle Environmental Solutions
EPA ID Number WAD 02025 7945

Dear Mr. Carpenter:

This Notice of Violation (NOV) is to inform you of violations of the Resource Conservation and Recovery Act, as amended (RCRA), found at your facility in Tacoma, Washington. These violations were identified as a result of an inspection conducted by the U.S. Environmental Protection Agency (EPA) on September 9-10, 2015, at Stericycle Environmental Solutions located at 1701 East Alexander Avenue Tacoma, Washington. The inspection was conducted pursuant to EPA inspection authority under Section 3007 of RCRA (42 U.S.C. § 6927). Washington has a federally authorized RCRA program; therefore, the inspection was conducted to assess compliance with the authorized portions of WAC 173-303 and with the March 22, 2012 State-issued RCRA permit (the permit) for the facility. From the observations made during the inspection, the RCRA violations cited below were identified at your facility.

Violation 1: Failure to Store Universal Waste Fluorescent Lamps in Closed Containers

The regulation found at WAC 173-303-573(9)(c)(ii) requires that among other things, universal waste lamps be kept in containers that are structurally sound, and kept closed.

During the inspection, the EPA inspectors observed in Cell 6 of the south container storage building, universal waste lamps in a container that was damaged to the point that it was no longer either structurally sound or closed.

Failure to store universal waste lamps in a structurally sound, closed container is a violation of WAC 173-303-573(9)(c)(ii).

Violation 2: Failure to Maintain Containers in Good Condition

Section D 2.1.3 of the permit requires that any containers showing evidence of leaking or damage be placed in over-pack containers, processed immediately, or transferred to a container in acceptable condition.

At the time of the inspection, the inspectors observed:

- In Cell 3 of the South Container Storage Building, a plastic drum containing hazardous waste that was severely bulging.
- In Cell 4 of the South Container Storage Building, a steel drum containing hazardous waste that was severely corroded around the bottom.

The facility personnel had not taken steps to address the damaged containers the inspectors observed in Cells 3 and 4 in violation of the permit condition in Section D 2.1.3.

Violation 3: Failure to Separate Incompatible Waste

Section D 2.2.2.11 of the permit requires that incompatible wastes not be stored in the same secondary containment systems.

At the time of the inspection, the inspectors observed in the drum jail in Cell 8 of the South Container Storage Building, a pallet of containers of waste which were labeled as oxidizers. This pallet of oxidizers was between a pallet of containers of waste labeled as corrosive and a pallet of containers of waste labeled as flammable. All three pallets of containers were located in the same secondary containment system. Flammable and/or corrosive materials are not compatible with oxidizers.

This storage of the three types of incompatible waste in the same secondary containment system was a violation of Section D 2.2.2.11 of the permit.

Violation 4: Failure to Clearly Mark and/or Identify Equipment Subject to 40 CFR 264 Subpart BB

Section D 2.1 of Appendix D 10 of the permit requires that equipment subject to the requirements of 40 CFR 264 Subpart BB must be clearly marked. 40 CFR Part 64.1031 defines equipment as each valve, pump, compressor, pressure relief device, sampling connection system, open ended valve or line, or flange or other connector, and any control devices or systems required by this Part. In addition, Attachment B of Appendix D 10 of the permit contains a map that is intended to identify all of the equipment subject to 40 CFR 264 Subpart BB.

At the time of the inspection, the inspectors observed in the tank farm at least ten pieces of equipment subject to this permit condition that were not clearly marked. Also, during the inspection the inspectors noted that the map in Attachment B of Appendix D 10 of the permit did not contain all of the equipment subject to monitoring and indicated equipment was present that did not exist. During the inspection, facility personnel marked all the pieces of equipment that were identified as subject to this permit condition.

Violation 5: Failure to Properly Word Financial Assurance Documents

The regulation at WAC173-303-620(10) incorporates by reference 40 CFR Part 264.151(b) which provides wording that must appear in a Surety Bond. Upon review of the Financial Guarantee Bond number K09223708, executed on May 11, 2015, the inspectors noted that the wording was not identical to the wording provided by the regulation. This is a violation of WAC 173-303-620(10).

Required Action

Within fifteen (15) days of receipt of this NOV, the EPA requests that you submit a written response and/or photographs that identify actions you have taken or will take to correct the above violations. These violations may subject Stericycle to enforcement action under Section 3008 of RCRA, including the assessment of civil penalties.

Please send all material submitted in response to this NOV to Jack Boller by email at bolter.jack@epa.gov, or to the following address:

Jack Boller
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900, AWT-150
Seattle, WA 98101

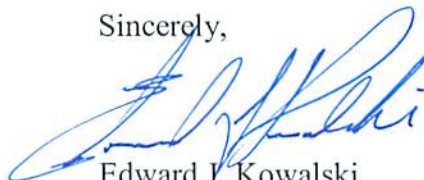
EPA Reservation of Rights

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations, or responsibilities under local, state, or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Jack Boller of my staff at 206-553-2953 or bolter.jack@epa.gov.

Sincerely,



Edward J. Kowalski
Director

cc: Ms. Ava Edmundson
Washington Department of Ecology
Southwest Regional Office